

# JUDGES WON'T BE SAFE IN ARIZONA

Courts Can Be Made Mere  
Playthings Under New  
Constitution.

DEMOCRATS ARE  
NOW AROUSED

Phoenix, Ariz., Nov. 21.—Will the constitution when adopted be accepted by the people? Many think not—proviso as that for the recall of judges. With one exception there is not a newspaper, Democratic or Republican, in the territory which is not hammering the constitutional convention hard for the passing of such sweeping provisions for direct legislation.

Were this attack sectional in scope; were it confined to one or the other parties as represented by the Arizona press; were it even an attempt to segregate and jump upon a set of delegates from a certain county or group of counties, many explanations might be forthcoming. It is none of these and, therefore, it is plain that the Arizona press, to the last ink pot, has awakened to the impractical nature of the recall in the constitution.

**Democrats Awakened.**  
The Democratic press, during the campaign, cried aloud for these features, and helped to make votes on them, but now that the things have been inserted and the seriousness of it is apparent, the editors are talking the other way. They realize that it is not what the territory wants or needs.

The Republican papers have all along declared that the statehood would be lost if these Socialistic "isms" became a part of Arizona's organic law, but the Democratic press is now aroused as well, after the harm has been done.

When the convention assembled, the Republican papers declared the Democrats had betrayed the people; that they had no intention of giving the state the measures of direct legislation, and, indeed, it looked like this was true for a long time. Finally, however, the initiative and referendum were made into provisions. Then the Republican papers screamed protest, while the Democratic papers with only an exception or two, writhed in discomfort.

At last came the day for the passing of the recall provision. The debate on this in the convention was upon whether this should be extended to the judiciary and the members in favor of such extension proved the more numerous.

**Judiciary Unsafe.**  
The fact acted as a signal to let loose upon the convention all the vilest of wrath. Even the Arizona Democrat protested vehemently that the constitution was utterly ruined and that the people would not accept it. Other Democratic papers fell into line until there is now not one that is not protesting the action of the delegates and it would be no surprise to see the constitution defeated if the papers have their way.

The Douglas International Democrat has this to say: "Arizona wants a judicial system which shall be superior and away above all political controversies. We want courts that cannot be subjected to harassment in the enforcement of the law for and against every interest, class or individual."

The same paper quotes at length a townsman to the effect that there is practically no support of the convention on the recall proposition. It further editorializes in the story containing an interview with the townsman in question to this effect:

"The International finds that among the business men there is little support for the recall in any form, and

practically none for a recall that would reach the judiciary."

**Not a Conservative Crowd.**  
The trouble with all the press of the press of Arizona, it is making a serious mistake in thinking that this is a business man's convention or that the ballots of business men elected the Democratic delegation. Business ballots are prone to be safe and sane as a rule, and the safe and sane ballots were cast for Republican delegates and against the idea of direct legislation.

Storekeepers, in cases where the stores were large concerns; stockmen, in the sense of men owning herds; miners, by that such gigantic companies as the Copper Queen and Clark's United Verde are meant, voted against direct legislation. But it was the miner de facto; the men with the pick; the cowboy who rides the range and some of the Arizona farmers who selected the delegates to the constitutional convention.

A leading Republican politician, a federal officeholder; a man who, next to the governor, holds the most conspicuous place in officialdom here, said:

"The people will beat this constitution at the polls. Every newspaper in the territory is against it."

**Work Nearly Over.**  
Of course, there will be many odds and ends to pick up and put together, but the real work, the actual framing of constitutional provisions, is practically over.

Railroads, school lands, water rights, irrigation (the life of agriculture out here) and corporations and banking are perplexing problems, but, while they are most profound and even more important than profound, they have been previously deeply studied and the delegates or a sufficient majority of them, know what they want. Therefore, it is expected that debates will be largely of a set nature.

**Amending Constitution.**  
Another big thing remains to be done. The constitution must provide for a method and a percentage for amending the constitution.

"A constitution containing only essentials and one easily amended" is what president Taft urged upon Arizona and New Mexico.

Just what he meant by essentials is a thing which has caused a diversity of opinion in Arizona. It also leads to the overthrow of the Republican majority in the territory, for the people insisted that direct legislation is an essential. President Taft could not be got to deny this, although the Republican machine leaders in Arizona insist that not only was such action not essential within the president's purview; it was or would be fatal to statehood. Direct legislation in the most stringent form is in the constitution as it stands.

Because of this condition, it is confidently expected that now the convention will proceed to provide for simple and easy amendment of the constitution. It submits to the people. Difficult amendment would cause its rejection, it is believed.

**WANTS TO BUY  
A TEXAS ISLAND**

J. W. Eubank, county surveyor, left Sunday night for Sierra Blanca, where he joined state land commissioner Robinson, with whom he went Monday to "the island" in the Rio Grande about 39 miles southeast of Sierra Blanca.

The trip is due to the desire of E. L. DeShazo, of El Paso, to buy the island, comprising about three and one-half acres, and the lack of knowledge on Mr. Robinson's part as to whether the island belongs to the United States or Mexico.

W. M. Thornton, an Austin, Tex., newspaper man, accompanied Mr. Eubank to Sierra Blanca and will go with the party to the island. Mr. Thornton spent Sunday in El Paso with his sister, Miss Helen Thornton, 908 North Oregon street.

**Dead Baby Is  
FOUND IN SAND**

The body of an unidentified Mexican babe was found Sunday morning buried in the sand at the corner of Hill and Sixth streets.

The discovery was made by a number of Mexican children, who were playing, and who immediately called assistance. Chief of police Ten Eyck, Corner McClintock was then called. The body of the child, which had been dead several days, was taken to a local undertaking establishment.

**Silverware—**from the individual pieces to the handsome silver chests—at Snyder Jewelry Co.

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## News Brevities

**Train Bulletin.**  
All afternoon and evening trains are reported on time.

**Cattle From Mexico.**  
Two trains of cattle from the Terrazas ranch and Colonia Dublan arrived Monday afternoon over the Mexican North Western railway. The trains are made up in all of 56 cars.

**Dr. Cameron, Dentist, reliable dentist, reasonable prices. Guar. Shoe Bldg.**  
C. L. Billington, 709 Magoffin. Tel. 1489, painting, paper hanging, decorating. You will be better satisfied with your Thanksgiving dinner if you order your turkey and oysters from Peyton's Market, 114 N. Stanton St.

**Dr. Schuller, Dentist, Roberts-Banner.**  
Allowed to Leave City.

Stamford Ward, found guilty in police court of malicious mischief and fined \$50, which he was unable to pay, has been released owing to the condition of his health, and on a promise that he leave the city. Ward, who claims to be related to a Beaumont, Texas, banker, was convicted of cutting up some clothes belonging to a Broadway street negro.

**Dr. J. A. Hedrick, surgeon and gynecologist. Roberts-Banner building.**

**Asparagus Special.**  
Everybody will want some nice asparagus for Thanksgiving day dinner. We have some of the nicest, fancy, large, white asparagus 21-22 pound cans, the regular 9 cent a can asparagus, which we are making a special of at 30 cents a can.

**Jackson's Sanitary Grocery, Phone 353.**

Call Bell 115, Auto 1115, tell what you want. The Herald boy will collect the next day.

Get your turkey—live or dressed—at 114 N. Stanton St., Peyton's Market.

**Society and Business Stationery.**  
Engraved, embossed printed. All work done in El Paso.  
J. B. Sutton Co., 328 Texas St.

**Dr. Prentiss, practice limited to diseases of stomach, intestines and liver. Rio Grande Bank building.**

**No Elections Held.**  
That an election was not held at Sayles' ranch on November 8, is the opinion of county clerk Pittman, who will write to Toiyah, where the election supplies were sent, asking for the return of the shipment.

**Thanksgiving Vegetables.**  
A special shipment of green vegetables for Thanksgiving. Just as fresh as the garden can produce.  
Green string beans, lb., 12 1/2-c.  
Green Lima beans, lb., 12 1/2-c.  
Green peas, lb., 12 1/2-c.  
Cucumbers, each, 5c.  
Head lettuce, 2 heads, 15c.  
Water cress, 2 bunches, 15c.  
Spinach, lb., 10c.  
Brussels sprouts, lb., 20c.  
Cauliflower, lb., 15c.  
Red cabbage, lb., 10c.  
White celery, 3 bunches, 25c.  
Cranberries, quart, 12 1/2-c.  
Jackson's Sanitary Grocery, Phone 353.

**Dr. Crowder, eye, ear, nose and throat. 602 Rio Grande Bldg.**

**Dr. Leslie Hyde, osteopathic physician, 314 Mesa.**

**Store Closes Thanksgiving.**  
We will close our store at 10 a. m. Thanksgiving day, and will appreciate our customers ordering early, so they will not be disappointed.

**Jackson's Sanitary Grocery, Phone 353.**

**Dr. Warnock, Dentist, over Postal Telegraph. Gold crowns, \$5.**

**Two Fire Alarms.**  
Fire alarms were responded to Saturday afternoon at 900 block Magoffin avenue, where a trash box was discovered on fire, and at the home of Dr. J. E. Keltner, 3024 Alameda avenue, where another box was also discovered on fire.

**Dr. P. S. Cary, Roberts-Banner Bldg.**

**Plum Pudding.**  
No Thanksgiving dinner is complete without plum pudding. We have it in all sizes.

**Jackson's Sanitary Grocery, Phone 353.**

**Dr. R. D. Robinson, Practice limited to diseases of children and orthopedic surgery. Office and residence 700 Mesa. Both phones 1897.**

**Strawberries for Thanksgiving.**  
We have made special arrangements to furnish our customers with fresh picked Mexican strawberries for Thanksgiving day dinner.

**Jackson's Sanitary Grocery, Phone 353.**

**Dr. W. R. Weeks, chronic diseases.**

**Hot Clam Bouillon with salt sprays. Elite Confectionery Co.**

**Main's mince meat, 20 cents a pound. Jackson's Sanitary Grocery, Phone 353.**

**New Jailor.**  
Ed. Mebus is now county jailor. He succeeded W. A. Mitchell Monday morning. Mebus will have Jose Garcia as assistant day jailor. There are now 59 prisoners confined in the jail, the number including five Chinese, five boys and three women.

**Hot Chocolate with whipped cream and cake. Elite Confectionery Co.**

**Race Horses Coming.**  
Sixteen cars of race horses for the Juarez track are expected this afternoon over the E. P. & S. W.

**Two pound mince meat, 25 cents a pound. Jackson's Sanitary Grocery, Phone 353.**

Perhaps some member of your family has a broken bit of jewelry put carefully away to be mended "some day." Why not have it mended as a Christmas surprise? Our jewelry repairer is an expert in the delicate art of making broken things look like new. Snyder Jewelry Co.

Cut glass of beautiful and original patterns—Snyder Jewelry Co.

**PLAN HORSE SHOW.**  
The Horse Show association, which was to have met Sunday afternoon, postponed its meeting until Wednesday evening, when arrangements will be made to hold a horse show and matinee race meeting during Christmas week.

## WIND-UP WORK MAY KEEP DELEGATES UP ALL NIGHT

Closing Ceremonies at Santa Fe Will Be Impressive and Late.

Santa Fe, N. M., Nov. 21.—The Republican conference was in session until 2 o'clock this morning wrangling over further concessions to be made to the Democrats in order to secure their undivided support of the fundamental law at the polls on Jan. 1.

By a majority of three it was decided to agree to a proposition to make the constitution more easily amended; instead of two-thirds, only a majority shall be necessary in the legislature to provide for the submission of an amendment to the people. Legislators are to be prohibited from carrying railroad passes.

Today is the last day of the session, but two articles remain undisposed of, that on miscellaneous provisions and that on apportionment; when these are adopted the constitution will be voted on article by article, the roll being called and recorded on each. After that there will be a presentation to president Chas. Spiess and farewell ceremonies, and it is likely that it will be 2 or 3 o'clock tomorrow morning before the final adjournment takes place.

Christmas gifts to be engraved should be chosen now, before our engravers get too busy. Snyder Jewelry Co.

**MAN WHO DEFEATED FRANCIS BECOMES ILL IN FORT WORTH.**  
Fort Worth, Texas, Nov. 21.—James A. Reed, former mayor of Kansas City, and who defeated David R. Francis for the nomination by the Democrats for United States senator from Missouri, is sick in bed at Hotel Worth here. He is attended by two physicians, a nurse. Despite his illness, he has discussed the causes of the recent Democratic victory this morning and declared the Democrats will elect the next president.

Reed was to have spoken at the Trans-Mississippi congress at San Antonio but will be compelled to forego the trip there.

**NOONE RECOVERING FROM FALL FROM HIGH LADDER.**  
Andrew Noone, the meter service man of the Electric Railway company, who fell from the top of a tall ladder in the company's offices Saturday, is improving, and no serious results are expected from his high dive. He was unconscious from the fall and it was feared that he had received a serious injury, but at Hotel Dieu Monday morning he was reported much improved.

**CONSERVATION SOCIETY FOR CHILDREN PLANNED.**  
The Parent-Teachers' association of the Mesa school will have an open meeting at the Y. W. C. A. rooms Tuesday afternoon at 3:30 p. m. The meeting will be for the purpose of organizing a children's conservation society. The association has invited mothers, teachers and others interested in teachers to attend the meeting.

Pretty pins are acceptable Christmas gifts—a scarf pin for a man, a brooch for a woman. Snyder Jewelry Co.

**ALLEGED PEDDLERS OF FAKE STOCKS RAIDED.**  
New York, N. Y., Nov. 21.—Federal officers this afternoon raided the offices of Burr Brothers, dealers in stocks and other securities. The raid was made on warrants charging the use of the mails to defraud. Postoffice officials say the firm has sold to investors at par value between 40 and 50 millions in stocks of various companies, most of which have gone out of existence or become bankrupt.

**VANDERBILT RELATIVE WEDS NEW YORK CHORUS GIRL.**  
New York, N. Y., Nov. 21.—H. Walter Webb, member of many clubs and closely related to the Vanderbilt family, a nephew of W. Seward Webb, has announced his marriage to Miss Constance Eastman, a chorus girl in "The Old Town" company. The wedding took place secretly several weeks ago and has just been publicly announced.

**FIRST CREDITORS MEETING AT BARSTOW ON TUESDAY.**  
The first meeting of the bankrupt firm of White, Sweet Bros. & Co. will be held at Barstow, Texas, Tuesday. Charles R. Loomis, referee in bankruptcy for this district, accompanied by Judge P. F. Edwards, have gone to Barstow to attend the hearing. Judge Edwards representing the Grand Falls firm which recently went into voluntary bankruptcy.

Expert watch repairers—Snyder Jewelry Co., 227 San Antonio, 102 Mesa.

**CRIPPEN WILL NOT SEE THANKSGIVING.**  
London, Eng., Nov. 21.—Dr. Crispin's petition for a reprieve was denied today, the home secretary announcing that he declined to interfere with the sentence of the court.

Crippen will be executed the morning of November 23.

**TWO NEW PREPAYMENT CARS ARE HERE FOR SERVICE.**  
Two new prepayment cars have arrived billed to the El Paso Electric Railway company and will be put into commission this week. The cars are of the same type as the semi-permanent ones now in service on the Boulevard and Arizona lines.

**PREPARING TO BUILD THE OLD FORT BLISS VIADUCT.**  
Several conferences were held Monday morning by alderman W. S. Clayton with the railway and street railway company representatives who are interested in the construction of the viaduct on the smaller road west of the city.

"All companies concerned have agreed to assist in the work," Mr. Clayton stated Monday, "but the proportion of cost seems to be the stickler."

A meeting will probably be held Monday afternoon or Tuesday morning at which representatives of all companies will be in attendance.

Will "Tudle" Thornton, an Austin Texas, newspaper man, arrived Sunday morning for a short visit with his sister, Miss Helen Thornton, 908 North Oregon street.

## One Man Is Killed and Another Is Shot; Family Row the Cause.

Pecos, Texas, Nov. 21.—One man dead and two wounded at Saragossa, a small town near here, is the result of a shooting scrape on the Pecos Valley Southern railway line today.

Paul K. Holmes, of Balhornea, left Pecos this morning for Saragossa, and it seemed on account of family trouble, this could not be settled, and Holmes shot and killed Knox Crow, seriously injured Knox's father and shot a bystander in the leg.

Sheriff Brown left Pecos in an automobile for Saragossa at 1 o'clock.

## DEATH OF BRAGAW REMOVES PIONEER

A Prominent Southwestern Cattleman and Miner Dies at Hotel Dieu.

John H. Bragaw, a pioneer of the southwest, who made a fortune in cattle and mines, died at Hotel Dieu Sunday afternoon at 3:15 as a result of cancer of the liver. He was 74 years of age and single.

Mr. Bragaw was born at Lexington, Oglethorpe county, Ga., in 1836, and later, with his father and brother moved to Lafayette, Ala. He served in the First Alabama and Seventh Alabama Confederate infantry as orderly sergeant during the civil war. After the war he moved to Vicksburg, Miss., and in 1868 moved to San Antonio, Tex., residing there until 1872 when he crossed the plains in a prairie schooner and located at Georgetown, now Minbrex, N. M.

During the early days in the southwest he was in many of the Indian campaigns. He leaves an estate which is estimated to be worth in the neighborhood of \$100,000.

He is survived by two brothers, Dr. R. H. Bragaw and W. N. Bragaw, who is connected with the fourth auditor's office in Washington, D. C., and three nephews in El Paso, Capt. John N. Harris, Charles S. Harris and W. H. Bragaw.

The funeral will be held at Silver City, N. M., Tuesday afternoon at 2 o'clock. The casket will be in the custody of the Masons, of which he was a 32nd degree member.

**FRANCISCO RODRIGUEZ.**  
The funeral of Francisco F. Rodriguez, who fell dead on San Antonio street last Saturday, was held Monday afternoon from the Catholic church. The cause of his death was pronounced pneumonia. The deceased leaves a wife and four small children, two brothers and two sisters.

**MRS. EVA NORTON.**  
Mrs. Eva Norton died Sunday at her home in Government Hill addition. Funeral services were held Monday afternoon and interment made in Concordia cemetery. Mrs. Norton was 60 years of age, and had lived many years in El Paso.

**KATHERINE S. BECK.**  
Katherine S. Beck, two months old daughter of Mr. and Mrs. Z. T. Beck, died Sunday at the residence, 1721 Missouri street. Funeral services were held Monday morning and interment made in Concordia cemetery.

**BODY SENT TO MICHIGAN.**  
While on his way to attend the funeral of his father-in-law at Lapeer, Mich., J. Herbert Cole, an assistant attorney general, received word Thursday at Kansas City of the death of his wife in El Paso. Returning Friday afternoon Mr. Cole arranged for the shipment of his wife's body, and has departed again for Lapeer. Mr. Cole was with his invalid wife until the death of her father.

**J. W. WILSON.**  
J. W. Wilson, 46 years of age, died Saturday at 319 Hudson street. Accompanied by the widow, the body has been shipped to Arkadelphia, Ark.

**CLARE STORM.**  
Clare Storm, 60 years of age, died Sunday in an El Paso sanatorium. He came here from Kansas City in search of health. Funeral services were held Monday, Rev. C. L. Overstreet officiating. Interment was made in Evergreen cemetery.

**FUNERAL OF RODRIGUEZ.**  
Funeral services to Antonio Rodriguez, the Mexican secret agent who was suddenly shot in El Paso, were held Sunday at the Sacred Heart church.

**ARIZONA WANTS EXPRESS RATES TO BE CUT.**  
Washington, D. C., Nov. 21.—With a view of putting all parts of Arizona on an equal footing as to express rates and stimulate more business, the Arizona railway commission today filed with the interstate commerce commission a complaint against the Wells-Fargo Express company.

The complaint alleges that rates as to a number of specified towns are unjust and higher than the rates established by the interstate commission in 1910.

The rates are said to be maintained in Phoenix, Tempe, Mesa and other Arizona towns.

**CHANCES GOOD FOR EL PASO MAN TO GET FORTUNE.**  
J. B. McConale, information clerk at the union station, who claims to be heir of the late Francis Drake estate, hears through his mother at Nashville, Tenn., that the successful completion of the litigation is expected soon. The estate is said to be valued at \$350,000, and if secured by the Tennessee family will be divided between four persons.

**MAN SEVERELY BURNED IN TRYING TO SAVE HIS HOME.**  
Athens, Texas, Nov. 21.—The home of John L. Gilbert, seven miles east of here, was destroyed by fire this morning and Gilbert suffered serious burns in an effort to save his household effects and furniture. The home was just completed. The loss is \$5000.

**MOTORCYCLE SETS GIRL RIDER'S DRESS ON FIRE.**  
Dallas, Texas, Nov. 21.—Ada Gerde, aged 17, was seriously burned late yesterday while riding in front of a motor cycle driven by Elliott Lindert. The gasoline tank caused a flame which set the girl's dress afire. Perry Baird snatched her from the machine. She is in a critical condition.

## EMERGE SMILING FROM AUTO CRASH

Cars of Dr. Collins and F. G. Alderete Collide, One Overturns.

Dr. Ira W. Collins and Miss Sybil Anderson were coming to town on the county road Sunday afternoon in Dr. Collins' limousine. When the rear wheel of F. G. Alderete's car coming in the same direction, struck the front wheel of the Collins machine and turned it completely over.

Both Dr. Collins and Miss Anderson crawled out of the wreck smiling and were brought to town in the Alderete machine. Neither of them was even bruised, as the heavy top of their car prevented their striking the ground.

The front wheel of the Collins car was struck by the heavy wheel of the Alderete machine, was torn off and the machinery was bent and twisted. The car was later brought to town.

The accident happened about 6:30.

## RECEIVER OF WATER COMPANY TO QUIT

John M. Wyatt, as receiver of the International Water company, which has been sold to the city, will be relieved Tuesday afternoon, according to present plans, thus placing the city in absolute control of the plant.

## BRIDE COMES FROM EAST. GROOM FROM MEXICO, WED HERE.

Langford Taylor Alden, a mining engineer employed in Mexico, and Miss Louise H. Comstock, of Providence, R. I., were married Saturday afternoon by Rev. R. T. Hanks, at the Calvary church. Accompanied by the bride's parents, Mr. and Mrs. R. B. Comstock, and her sister, Miss Marguerite S. Comstock, Miss Comstock came to El Paso and met Mr. Alden. Bride and groom immediately departed into Mexico, and the bride's family proceeded to California. Mr. Alden is from Troy, N. Y.

## FIND MEXICAN WITH HOLE IN HEAD AND PISTOL NEAR

San Angelo, Texas, Nov. 21.—Hernando Martinez, a Mexican, aged about 39, was found dead with a bullet hole in his head at Eldorado, 50 miles south of here this morning, and the authorities are unable to determine whether it is a case of suicide or murder. A revolver lay on the ground near by. The Mexican was formerly employed in San Angelo. An investigation is in progress.

## CHARGED WITH TRYING TO KILL HIS SON AND TWO MEY

Jacksville, Texas, Nov. 21.—J. N. Bostwick was jailed here today, charged with attempting to kill his young son Albert by breaking a plate over his head and by firing at him with a .38 Smith & Wesson revolver, which he saved his lives by jumping behind trees.

## RESERVATION NOTICE SERVED.

Notices have been sent to the property owners, agents and occupants of the reservation houses, notifying them of the illegal nature of the business being conducted in the district. No replies have yet been received by attorney J. M. Nealon, who represents the protesting property owners. It is understood that a number of the people affected have consulted attorneys regarding the course to be taken by them.

Mrs. Saran Ardoin, who fell and broke her leg several weeks ago, is improving rapidly. Her daughter, Mrs. E. O. Loehausen, of Haymond, Texas, and Mrs. J. L. Barlow, of Big Springs, and Mrs. William Staffer, of Los Angeles, have been here to attend her.

Tony A. Ferlet, of Anthony, left Saturday night for San Antonio to boost the valley where he lives before the Trans-Mississippi Commercial congress. Mr. Ferlet is an old-time San Antonian and has many friends down there.

## SURPRISE FRIENDS HERE BY MARRYING IN SAN ANTONIO.

Surprising their friends, Miss Dorothy E. Denan and Jimmie Barker were married recently in San Antonio. Miss Denan left for San Antonio two weeks ago and was joined there by Mr. Barker and they were married in the St. Joseph church, where Mr. Barker attended when a boy. They will go to house-keeping here.

## POPULATION GIVEN FOR PRECINCT TWELVE

Washington, D. C., Nov. 21.—The population of precinct 12 in El Paso county is 1226. The twelfth census gave it 369 and the eleventh census 378.

The population of the state of Kansas is 890,945, an increase of 320,144, or 15 percent over 1900.

## CLOSE CALL IN AUTO.